



Rockdale County Board of Commissioners

Priority:  
RUSH/30/60/90

Agenda Item Summary: Item #

MEETING DATE:

Requesting Department  
RCFR

Requested Action (Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)

Approve Snapping Shoals to set 4 power poles at no charge to Rockdale County

Requirement for Board Action (Cite specific Board policy, statute or code requirement)

Is this Item Goal Related? (If yes, describe how this action meets the specific Board of Commissioners Focus Area or Goal)

☐

Yes

☐

No

Summary & Background

(First sentence includes Department recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)

RECOMMEND signing agreement of setting 4 power poles. Liability issue for Snapping Shoals working on Rockdale County property.

Fiscal Impact / Funding Source

(Include projected cost, approved budget amount and account number, source of funds, and any future funding requirements.)

No charge.

Exhibits Attached (Provide copies of originals, number exhibits consecutively, and label all exhibits in the upper right corner.)

Source of Additional Information

(Type Name, Title, Department and Phone)

CHIEF DAN MORGAN – RCFR - 8441

Department Head/Director's Approval

Typed Name and Title

Dan Morgan – Chief - RCFR

Phone

8441

Signature

Date

11/16/16

Chief of Staff  
Approval

# ROUTE SLIP FOR CONTRACTS, AGREEMENTS, AND MOU'S

FOR PURCHASING USE ONLY

Tracking#

Contract#

Actual BOC Date:

## FOR USE BY THE USER DEPARTMENT

Department: RCFR Contact Name & Extension: Dan S Morgan, Ext 8441 or 8423

Project Title and Brief Summary: Snapping Shoals set 4 power poles/ no charge to Rockdale County

Term of Contract and/or Project: One time

Vendor Name: Snapping Shoals EMC Contact: \_\_\_\_\_

Address/Phone#: \_\_\_\_\_

Contract \$ No charge Funding Source and Account Number #: n/a

Priority: NEXTBOCKMTG / ☒ / 60 / 90 (Choose One) Comments/Justify NEXTBOCKMTG: \_\_\_\_\_

Director/Elected Official Signature: \_\_\_\_\_ Date: 11/15/16

## FOR USE BY PURCHASING AND CONTRACTING DIVISION OF FINANCE

Date and Time Received: \_\_\_\_\_ Date and Time: \_\_\_\_\_

☐ ITB ☐ RFP ☐ Agreement/Contract ☐ Change Order No \_\_\_\_\_ ☐ GSA/SWC \_\_\_\_\_

☐ Approved Sole Source ☐ Other (specify): \_\_\_\_\_

Projected BOC Meeting Date: \_\_\_\_\_

Comments/Notes: \_\_\_\_\_

Procurement Officer Signature: \_\_\_\_\_

## FOR USE BY THE DIRECTOR OR FINANCE

Date and Time Received: \_\_\_\_\_ Date and Time Out: \_\_\_\_\_

Funding Source: \_\_\_\_\_ Budget Amount: \_\_\_\_\_

Finance Officer Signature: \_\_\_\_\_

## FOR USE BY COUNTY ATTORNEY

Date and Time Received: \_\_\_\_\_ Date and Time Out: \_\_\_\_\_

☐ Returned to Purchasing with comments \_\_\_\_\_ Date and Time Out: \_\_\_\_\_

Comments: \_\_\_\_\_

☐ Received from reroute (if applicable): \_\_\_\_\_ Date and Time In: \_\_\_\_\_

☐ Approved as to form and Returned to Purchasing \_\_\_\_\_ Date and Time Out: \_\_\_\_\_

County Attorney Signature: \_\_\_\_\_

## FOR USE BY THE CHIEF OF STAFF

Date and Time Received: \_\_\_\_\_ Date and Time Out: \_\_\_\_\_

☐ Approved for Agenda Placement and Forwarded to County Clerk \_\_\_\_\_ Agenda Date: \_\_\_\_\_

Comments/Notes: \_\_\_\_\_

Chief of Staff Signature: \_\_\_\_\_

**RELEASE, COVENANT NOT TO SUE  
AND INDEMNITY AGREEMENT**

Snapping Shoals Electric Membership Corporation ("SSEMC") has agreed to perform the work described below for \_\_\_\_\_ (the "undersigned").

In consideration for the work performed by SSEMC and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned hereby fully and forever releases and discharges, covenants not to sue; and agrees to hold harmless, defend and indemnify SSEMC, its officers, directors, members, successors, affiliates, assigns, agents and attorneys, from any and all actions, causes of action, claims, demands, costs, expenses, liabilities, losses and damages which arise directly or indirectly from such work and services performed by SSEMC, excluding such damages which arise as a result of SSEMC's sole negligence.

This Release, Covenant Not to Sue and Indemnity Agreement shall be binding upon the undersigned, its agents, heirs, assigns, successors, legal representatives, and agents.

**THE UNDERSIGNED HEREBY DOES DECLARE THAT THE UNDERSIGNED HAS READ AND FULLY UNDERSTANDS THE TERMS OF THIS RELEASE, COVENANT NOT TO SUE AND INDEMNITY AGREEMENT.**

IN WITNESS WHEREOF, the undersigned duly authorized representative of \_\_\_\_\_, has executed, sealed and delivered this Release, Covenant Not to Sue and Indemnity Agreement this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
By: \_\_\_\_\_

\_\_\_\_\_  
Witness

Title: \_\_\_\_\_

**Description of Work to be Performed**

---

---

---

---

---

---

---



# SNAPPING SHOALS

14750 Brown Bridge Road

P.O. Box 509, Covington, GA 30015-0509

Telephone: 770-786-3484

## CONDITIONS OF SERVICE

I, \_\_\_\_\_, have marked the locations of all below grade facilities such as, but not limited to, customer-owned gas, water, electric, sewer lines, and septic tanks/lines, and I assume liability for damages incurred to any below- grade customer-owned facilities not properly marked and subsequently damaged by Snapping Shoals EMC during the course of installation of service facilities on the property located at street address \_\_\_\_\_, lot # \_\_\_\_\_ in \_\_\_\_\_ subdivision.

The marking of such facilities shall be maintained by myself until electric service has been extended to the location(s) indicated above and I shall require no further notification for location of customer owned facilities.

*I agree and acknowledge that I am responsible for all costs incurred by Snapping Shoals EMC in repair, relocation or lowering of any Snapping Shoals EMC facilities or equipment necessitated by a change in grade in road R/W and/or Utility Easement after initial installation, due to actions of signing party or its associated contractors.*

Further, I indemnify and hold harmless Snapping Shoals EMC for any damages to driveways or other property, including but not limited to sod, grasses, trees, landscaping materials and plants, incurred during ingress and egress by trucks and equipment for the purpose of installing electric cables and required facilities.

I also indemnify and hold harmless Snapping Shoals EMC for any damage caused by boring or drilling operations performed in the installation of this service. This includes, but is not limited to driveways, culverts, concrete slabs of any kind, etc.

In the event that, in the sole opinion of Snapping Shoals EMC, excessive rock is encountered during the installation of underground service cables, the owner shall be responsible for the removal of said excessive rock.

I Certify that I, the undersigned, am the owner of the above-listed property and that I have read and agree to these "Conditions of Service".

DATE \_\_\_\_\_ DATE \_\_\_\_\_

OWNER \_\_\_\_\_ WITNESS \_\_\_\_\_

**\*\* SERVICE WILL NOT BE EXTENDED UNTIL THIS FORM IS RETURNED \*\***

**ARE YOU REQUESTING SERVICE TO BE RUN AT THIS TIME? YES NO**

**PLEASE CALL CUSTOMER SERVICE AT 770-786-3484 TO REQUEST SERVICE  
FAX# 770-385-2750**

\*\*\*\*\*

WORK ORDER # \_\_\_\_\_ OVERHEAD \_\_\_\_\_ U/G \_\_\_\_\_  
STAKER \_\_\_\_\_ CS \_\_\_\_\_

**RELEASE**

I hereby acknowledge receipt of and accept full ownership of used electrical poles from \_\_\_\_\_  
(Co-op name) (the "Cooperative") upon the following terms and conditions:

1. The used poles delivered hereunder consist of the following number and size:  
  
\_\_\_\_\_
2. The handling fee for said poles is \$\_\_\_\_\_ in hand paid, receipt of which is hereby acknowledged by the Cooperative.
3. All poles obtained hereunder are "as is," without any warranties of merchantability or fitness for any general or particular use or purposes. I assume responsibility, at any expense, to have these poles inspected by an independent expert engaged in such testing to determine the suitability or fitness of the poles for any desired use.
4. I acknowledge that the Cooperative has advised me that the poles have been treated with preservatives and other chemicals that are subject to control by the EPA, and I have been advised that these poles may contain chemicals and materials that are potentially hazardous to me and any other person or thing coming in contact with these poles. I assume responsibility, at my expense, to have these poles tested to determine the existence of any such hazardous chemicals or materials. I acknowledge that the Cooperative has provided me with a copy of the EPA-approved Consumer Information Sheet relating to creosote, pentachlorophenol and arsenic, attached as Exhibit I to this release. I further acknowledge that I have read and understand the information set forth in Exhibit I.
5. I specifically agree to hold the Cooperative harmless from any and all liability from any cause whatsoever arising out of the use of these poles subsequent to the removal thereof from the Cooperative premises, and agree to indemnify the Cooperative from any liability in any way arising from and after their removal from the Cooperative's premises. I further agree, that in the event any legal action is brought against the Cooperative arising out of the use of these pole(s) by me, any subsequent owner, or any person, claiming damages by virtue of or in any manner arising out of the use of the pole(s), or damages therefrom, that I agree to hold the Cooperative harmless from any and all

After working with the wood, and before eating, drinking, and use of tobacco products, wash exposed areas thoroughly.

If preservatives or sawdust accumulate on clothes, launder before reuse. Wash work clothes separately from other household clothing.

## II. CREOSOTE PRESSURE-TREATED WOOD

This wood may have been preserved by pressure treatment with an EPA-registered pesticide containing creosote to protect it from insect attack and decay. Wood treated with creosote should be used only where such protection is important.

Creosote penetrates deeply into and remains in the pressure-treated wood for a long time. Exposure to creosote may present certain hazards. Therefore, the following precautions should be taken both when handling the treated wood and in determining where to use the treated wood.

### Use Site Precautions for Creosote Pressure-Treated Wood

Wood treated with creosote should not be used where it will be in frequent or prolonged contact with bare skin (for example, chairs and other outdoor furniture) unless an effective sealer has been applied.

Creosote-treated wood should not be used in residential interiors. Creosote-treated wood in interiors of industrial buildings should be used only for industrial building components which are in good contact and are subject to

decay or insect infestation and wood block flooring. For such uses, two coats of an appropriate sealer must be applied. Sealers may be applied at the installation site.

Wood treated with creosote should not be used in the interiors of farm buildings where there may be direct contact with domestic animals or livestock which may crib (bite) or lick the wood.

In interiors of farm buildings where domestic animals or livestock are unlikely to crib (bite) or lick the wood, creosote-treated wood may be used for building components which are in ground contact and are subject to decay or insect infestation if two coats of an effective sealer are applied. Sealers may be applied at the installation site.

Do not use creosote treated wood for farrowing or brooding facilities.

Do not use treated wood under circumstances where the preservative may become a component of food or animal feed. Examples of such use would be structures or containers for storing silage or food.

Do not use treated wood for cutting-boards or countertops.

Only treated wood that is visibly clean and free of surface residues should be used for patios, decks and walkways.

Do not use treated wood for construction of those portions of beehives which may come into contact with the honey.

## CONSUMER INFORMATION SHEET

### **I. INORGANIC ARSENICAL PRES-SURE-TREATED WOOD**

This wood may have been preserved by pressure treatment with an EPA-registered pesticide containing inorganic arsenic to protect it from insect attack and decay. Wood treated with inorganic arsenic should be used only where such protection is important.

Inorganic arsenic penetrates deeply into and remains in the pressure-treated wood for a long time. Exposure to inorganic arsenic may present certain hazards. Therefore, the following precautions should be taken both when handling the treated wood and in determining where to use or dispose of the treated wood.

#### **Use Site Precautions for Inorganic Arsenical Pressure-Treated Wood**

Wood pressure-treated with waterborne arsenical preservatives may be used inside residences as long as all sawdust and construction debris are cleaned up and disposed of after construction.

Do not use treated wood under circumstances where the preservative may become a component of food or animal feed. Examples of such sites would be structures or containers for storing silage or food.

Do not use treated wood for cutting-boards or counter-tops.

Only treated wood that is visibly clean and free of surface residue should be used for patios, decks and walkways.

Do not use treated wood for construction of those portions of beehives which may come into contact with the honey.

Treated wood should not be used where it may come into direct or indirect contact with public drinking water, except for uses involving incidental contact such as docks and bridges.

#### **Handling Precautions for Inorganic Arsenical Pressure-Treated Wood**

Dispose of treated wood by ordinary trash collection or burial. Treated wood should not be burned in open fires or in stoves, fireplaces, or residential boilers because toxic chemicals may be produced as part of the smoke and ashes. Treated wood from commercial or industrial use (e.g., construction sites) may be burned only in commercial or industrial incinerators or boilers in accordance with state and federal regulations.

Avoid frequent or prolonged inhalation of sawdust from treated wood. When sawing and machining treated wood, wear a dust mask. Whenever possible, these operations should be performed outdoors to avoid indoor accumulations of airborne sawdust from treated wood.

When power-sawing and machining, wear goggles to protect eyes from flying particles.

Creosote-treated wood should not be used where it may come into direct or indirect contact with public drinking water, except for uses involving incidental contact such as docks and bridges.

Do not use creosote-treated wood where it may come into direct or indirect contact with drinking water for domestic animals or livestock, except for uses involving incidental contact such as docks and bridges.

#### HANDLING PRECAUTIONS FOR CREOSOTE PRESSURE-TREATED WOOD

Dispose of treated wood by ordinary trash collection or burial. Treated wood should not be burned in open fires or in stoves, fireplaces, or residential boilers, because toxic chemicals may be produced as part of the smoke and ashes. Treated wood from commercial or industrial use (e.g., construction sites) may be burned only in commercial or industrial incinerators or boilers in accordance with state and Federal regulations.

Avoid frequent or prolonged inhalation of sawdust from treated wood. When sawing and machining treated wood, wear a dust mask. Whenever possible, these operations should be performed outdoors to avoid indoor accumulations of airborne sawdust from treated wood.

Avoid frequent or prolonged skin contact with creosote-treated wood; when handling the treated wood, wear long-sleeved shirts and long pants and use gloves impervious to the chemicals (for example, gloves that are vinyl-coated).

When power-sawing and machining, wear goggles to protect eyes from flying particles.

After working with the wood, and before eating, drinking, and use of tobacco products, wash exposed areas thoroughly.

If oily preservative or sawdust accumulate on clothes, launder before reuse. Wash work clothes separately from other household clothing.

Coal tar pitch and coal tar pitch emulsion are effective sealers for creosote-treated wood-block flooring. Urethane, epoxy, and shellac are acceptable sealers for all creosote-treated wood.

#### III. PENTACHLOROPHENOL PRESSURE-TREATED WOOD

This wood may have been preserved by pressure-treatment with an EPA-registered pesticide containing pentachlorophenol to protect it from insect attack and decay. Wood treated with pentachlorophenol should be used only where such protection is important.

Pentachlorophenol penetrates deeply into and remains in the pressure-treated wood for a long time. Exposure to pentachlorophenol may present certain hazards. Therefore, the following precautions should be taken both when handling the treated wood and in determining where to use and dispose of the treated wood.



## Use Site Precautions for Pentachlorophenol Pressure-Treated Wood

Logs treated with pentachlorophenol should not be used for log homes.

Wood treated with pentachlorophenol should not be used where it will be in frequent or prolonged contact with bare skin (for example, chairs and other outdoor furniture), unless an effective sealer has been applied.

Pentachlorophenol-treated wood should not be used in residential, industrial, or commercial interiors except for laminated beams or building components which are in ground contact and are subject to decay or insect infestation and where two coats of an appropriate sealer are applied. Sealers may be applied at the installation site.

Wood treated with pentachlorophenol should not be used in the interiors of farm buildings where there may be direct contact with domestic animals or livestock which may crib (bite) or lick the wood.

In interiors of farm building where domestic animals or livestock are unlikely to crib (bite) or lick the wood, pentachlorophenol-treated wood may be used for building components which are in ground contact and are subject to decay or insect infestation and where two coats of an appropriate sealer are applied. Sealers may be applied at the installation site.

Do not use pentachlorophenol-treated wood for farrowing or brooding facilities.

Do not use treated wood under circumstances where the preservative may become a component of food or animal feed. Examples of such sites would be structures or containers for storing silage or food.

Do not use treated wood for cutting-boards or countertops.

Only treated wood that is visibly clean and free of surface residue should be used for patios, decks and walkways.

Do not use treated wood for construction of those portions of beehives which may come into contact with the honey.

Pentachlorophenol-treated wood should not be used where it may come into direct or indirect contact with public drinking water, except for uses involving incidental contact such as docks and bridges.

Do not use pentachlorophenol-treated wood where it may come into direct or indirect contact with drinking water for domestic animals or livestock, except for uses involving incidental contact such as docks and bridges.

## Handling Precautions for Pentachlorophenol Pressure-treated Wood

Dispose of treated wood by ordinary trash collection or burial. Treated wood should not be burned in open fires or in stoves, fireplaces, or residential boilers because toxic chemicals may be produced as part of the smoke and ashes. Treated wood from commercial or industrial use (e.g., construction sites) may be burned only in commercial or industrial in-

Creosote-treated wood should not be used where it may come into direct or indirect contact with public drinking water, except for uses involving incidental contact such as docks and bridges.

Do not use creosote-treated wood where it may come into direct or indirect contact with drinking water for domestic animals or livestock, except for uses involving incidental contact such as docks and bridges.

#### HANDLING PRECAUTIONS FOR CREOSOTE PRESSURE-TREATED WOOD

Dispose of treated wood by ordinary trash collection or burial. Treated wood should not be burned in open fires or in stoves, fireplaces, or residential boilers, because toxic chemicals may be produced as part of the smoke and ashes. Treated wood from commercial or industrial use (e.g., construction sites) may be burned only in commercial or industrial incinerators or boilers in accordance with state and Federal regulations.

Avoid frequent or prolonged inhalation of sawdust from treated wood. When sawing and machining treated wood, wear a dust mask. Whenever possible, these operations should be performed outdoors to avoid indoor accumulations of airborne sawdust from treated wood.

Avoid frequent or prolonged skin contact with creosote-treated wood; when handling the treated wood, wear long-sleeved shirts and long pants and use gloves impervious to the chemicals (for example, gloves that are vinyl-coated).

When power-sawing and machining, wear goggles to protect eyes from flying particles.

After working with the wood, and before eating, drinking, and use of tobacco products, wash exposed areas thoroughly.

If oily preservative or sawdust accumulate on clothes, launder before reuse. Wash work clothes separately from other household clothing.

Coal tar pitch and coal tar pitch emulsion are effective sealers for creosote-treated wood-block flooring. Urethane, epoxy, and shellac are acceptable sealers for all creosote-treated wood.

#### III. PENTACHLOROPHENOL PRESSURE-TREATED WOOD

This wood may have been preserved by pressure-treatment with an EPA-registered pesticide containing pentachlorophenol to protect it from insect attack and decay. Wood treated with pentachlorophenol should be used only where such protection is important.

Pentachlorophenol penetrates deeply into and remains in the pressure-treated wood for a long time. Exposure to pentachlorophenol may present certain hazards. Therefore, the following precautions should be taken both when handling the treated wood and in determining where to use and dispose of the treated wood.

cinerators or boilers rated at 20 million BTU/hour or greater heat input or its equivalent in accordance with state and Federal regulations.

Avoid frequent or prolonged inhalation of sawdust from treated wood. When sawing and machining treated wood, wear a dust mask. Whenever possible, these operations should be performed outdoors to avoid indoor accumulations of airborne sawdust from treated wood.

Avoid frequent or prolonged skin contact with pentachlorophenol-treated wood; when handling the treated wood, wear long-sleeved shirts and long pants and use gloves impervious to the chemicals (for examples, gloves that are vinyl-coated).

When power-sawing and machining, wear goggles to protect eyes from flying particles.

After working with the wood, and before eating, drinking, and use of tobacco products, wash exposed areas thoroughly.

If oily preservatives or sawdust accumulate on clothes, launder before reuse. Wash work clothes separately from other household clothing.

Urethane, shellac, latex epoxy enamel and varnish are acceptable sealers for pentachlorophenol-treated wood.